

**ENTERED**

June 16, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RUSTY EUGENE DUKE,

Movant/Defendant,

v.

UNITED STATES OF AMERICA,

Respondent/Plaintiff.

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CIVIL ACTION NO. H-15-3692  
(CRIMINAL NO. H-12-272-07)

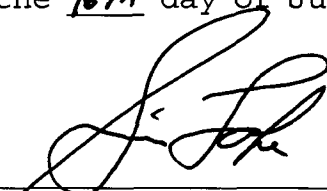
**FINAL JUDGMENT**

In accordance with the court's Findings of Fact and Conclusions of Law, Duke's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence By a Person in Federal Custody (Docket Entry No. 1453) is **DENIED**, and this action is **DISMISSED WITH PREJUDICE**.

Because, as explained in the Findings of Fact and Conclusions of Law, none of the claims raised by Rusty Eugene Duke make a substantial showing of the denial of a constitutional right, Duke is **DENIED** a certificate of appealability.

This is a **FINAL JUDGMENT**.

**SIGNED** at Houston, Texas, on this the 16th day of June, 2016.

  
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SIM LAKE  
UNITED STATES DISTRICT JUDGE